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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

013883-000001

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on 2-21-06

Signature

Patricia L. Pontello

Typed or printed
name

Patricia L. Pontello

Application Number

10/068,157

Filed

February 6, 2002

First Named Inventor

Peter D. Hallenbeck

Art Unit

2154

Examiner

Kenny S. Lin

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒

attorney or agent of record.

Registration number 37,911

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attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

Steven B. Phillips

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Steven B. Phillips

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Telephone number

21 Feb 06

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☒

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Attorney Docket No. 013883-000001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|---|---------------------|
| In re application of Peter D. Hallenbeck |) | |
| |) | Confirmation # 7492 |
| Application No. 10/068,157 |) | |
| |) | |
| Filed: February 6, 2002 |) | |
| |) | |
| Examiner: Kenny S. Lin |) | |
| Group Art Unit: 2154 |) | |
| |) | |
| Title: INPUT ALIASING IN A PREMISES |) | |
| AUTOMATION SYSTEM |) | |
| |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS IN SUPPORT OF PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicants submit that the current and preceding office actions issued by the Examiner in the present application contain clear errors in the Examiner's rejections as well as omissions of one or more essential elements needed for a *prima facie* rejection under 35 U.S.C. § 102.

The present invention is related to a home automation control system and a way of handling inputs and outputs in such a system. All pending independent claims, and hence, all claims either directly or through dependency, include a *plurality* of data entries related to the premises producing a *plurality* of Boolean results, which are then combined into a *single Boolean outcome* representing a state of the premises. Thus, multiple premises conditions can be aliased into one virtual input for convenient addressing and control. In an example embodiment, this aliasing is accomplished by a data structure which is schematically represented in Applicant's Fig. 6. This relationship is recited in slightly different ways depending on the claims, but all claims recite essentially these elements.

Claims 7 and 57, for example, recite "a plurality of entries . . . each entry

producing a Boolean result" (a plurality of Boolean results). Claims 11, 15, and 61, all recite "a plurality of Boolean results." In each case a "single Boolean outcome" is produced from these entries and results.

The claims stand rejected on 35 U.S.C. § 102. For such a rejection to stand *each and every claim recitation* must be found in the cited reference. The Dolin reference does not disclose combining a plurality of Boolean results into a single Boolean outcome. The Examiner has pointed to specific portions of Dolin including isolated program statements in some code listings. Even assuming *arguendo* that these are Boolean in nature, the Examiner does not show how a single Boolean outcome representing a state of the premises is produced in Dolin from a structure containing a plurality of stored Boolean results. The Examiner has also analogized Dolin's assigning of names to represent network resources to Applicant's producing of a single Boolean result to represent a state of the premises. Applicant's use a virtual input is not analogous to naming network resources in Dolin. See Applicant's response dated December 5, 2005, especially the second full paragraph on page 17. Applicant herein re-iterates all his remarks and arguments of that office action response.

As the Examiner's rejections of claims 7-15 and 57-67 has been shown to be in clear error and lack essential elements of a prima facie anticipation rejection, it is requested that these claims be allowed to issue.

Respectfully submitted,

Peter D. Hallenbeck

Date: 21 Feb 06

By:



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